

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.)
)
)
FREDERICK SIMONE,) Cr. No. 03-10356-MLW
VINCENT GIOACCHINI and)
FRANCIS WHITE,)
)
Defendants.)

ORDER

WOLF, D.J.

October 12, 2004

For the reasons stated at the hearing on October 12, 2004, it is hereby ORDERED that:

1. If defendants wish to withdraw any of their discovery requests, they shall do so by October 15, 2004.
2. The defendants shall, by October 22, 2004, make supplementary submissions concerning their Motion for a Franks Hearing (Dkt. 128) that identify with particularity what is allegedly false in each affidavit and warrant application.
3. Counsel for the parties shall, by October 26, 2004, confer and report on whether they have agreed to a resolution of this case.
4. The government shall, by November 23, 2004, respond to the pending motions.
5. Defendants shall file replies by December 10, 2004.
6. A hearing shall be held on December 16, 2004, at 3:00 p.m.,

to address whether defendants have made a sufficient showing for an evidentiary hearing and any other issues that are then ripe for resolution.

7. Each counsel of record shall attend each hearing in this case unless a motion to be excused is filed three days in advance and allowed by the court.

8. The parties shall order the transcript of the October 12, 2004 hearing, which identified some of the issues that the parties shall address in their submissions concerning the pending motions.

/s/ Mark L. Wolf
UNITED STATES DISTRICT JUDGE